

## Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 IO-13 SSO-00 NSCE-00 USIE-00  
INRE-00 CIAE-00 DODE-00 PM-04 H-01 INR-07 L-03  
NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 CAB-02  
COME-00 DOTE-00 EPG-02 FAA-00 /076 W  
-----011929Z 026698 /44

O 011916Z JUN 77  
FM AMEMBASSY LONDON  
TIFCPVHC/SECSTATE WASHDC IMMEDIATE 4602  
INFO AMEMBASSY BONN IMMEDIATE  
USMISSION BERLIN IMMEDIATE

CONFIDENTIAL LONDON 09114

E.O. 11652: GDS  
TAGS: EAIR, UK  
SUBJECT: CIVAIR: US-BERLIN SERVICES VIA LONDON

1. UKDEL (I.E., DEPT OF TRADE) HAS TAKEN FOLLOWING POSITION IN NEGOTIATIONS OF A NEW US-UK AIR TRANSPORT AGREEMENT: "FOR SO LONG AS BERLIN CONTINUES TO BE ADMINISTERED BY A FOUR POWER ADMINISTRATION WHICH INCLUDES REPRESENTATIVES OF THE UNITED STATES, A DESIGNATED US AIRLINE MAY OPERATE SCHEDULED SERVICES BETWEEN BERLIN AND LONDON AT A FREQUENCY OF NOT MORE THAN 7 SERVICES PER WEEK IN EACH DIRECTION WITH AIRCRAFT OF NOT MORE THAN 150 SEATS." AMONG OTHER THINGS, FOREGOING FORMULATION WOULD PREVENT PANAM FROM CONTINUING OFFER A SINGLE FLIGHT NUMBER SERVICE FROM US VIA LONDON AND AND HAMBURG TO BERLIN, ALTHOUGH IT COULD OFFER A CONNECTION BETWEEN US-LONDON AND LONDON-BERLIN FLIGHTS UNDER BRITISH PROPOSAL.

2. IN RESPONSE, USDEL MADE FOLLOWING STATEMENT: "WITH REGARD TO BERLIN, THE U.S. GOVERNMENT WOULD REQUIRE FOR POLITICAL REASONS THAT PAN AMERICAN'S SERVICE BE A

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THROUGH SERVICE BETWEEN THE UNITED STATES AND BERLIN, WITH AN INTERMEDIATE STOP AT LONDON IF DESIRED BY THE AIRLINE. IT WOULD, THEREFORE BE NECESSARY TO SHOW BERLIN AS A BEYOND IN THE ROUTE SCHEDULE. ACCEPTANCE OF THE FREQUENCY AND CAPACITY LIMITATION PROPOSED BY THE U.K. RAISES POLITICAL DIFFICULTIES; WE TRUST THE UK WILL AGREE TO DELETE SUCH A LIMITATION, EVEN THOUGH

IT IS NOT FORESEEN THAT SERVICE ABOVE THE LIMITATION IS LIKELY."

3. UKDEL HAS SO FAR REFUSED ACCEPT US POSITION THAT BERLIN (AS WELL AS ALL POINTS IN FRG) APPEAR IN US ROUTE DESCRIPTION AS A POINT BEYOND LONDON WITHOUT FREQUENCY OR ANY OTHER RESTRICTION AND WITHOUT ITS BEING CONTINGENT ON BERLIN'S STATUS. WE EXPECT UK POSITION MAY DERIVE FROM RESISTENCE OF DOT IN ACCEPTING THAT ISSUE IS BASICALLY POLITICAL, I.E., IN PROVINCE OF FCO. IF WE ARE TO CONTINUE ARGUE THAT ISSUE IS BASICALLY POLITICAL, WE MAY BE FORCED TO ACCEPT THAT OUR RIGHTS TO OPERATE BEYOND LONDON TO BERLIN ARE TIED TO USG PRESENCE IN BERLIN, I.E., RIGHTS TERMINATE IF BERLIN'S STATUS CHANGES. PANAM REP IN LONDON FOR NEGOTIATIONS (HENRY HILL) DOUBTS LONDON-BERLIN FIFTH FREEDOM RIGHTS WOULD BE OF MUCH USE IF USG NO LONGER HAD A ROLE IN BERLIN; HENCE HE NOT DISTURBED BY LOSING THESE RIGHTS IF STATUS BERLIN CHANGES.

4. WHILE WE WOULD BE BETTER OFF TO HOLD TO CURRENT US POSITION, USDEL NEEDS URGENT GUIDANCE ON HOW FAR IT CAN GO ON BERLIN QUESTION. SPECIFICALLY, CAN WE POLITICALLY ACCEPT A FORMULATION THAT, SHOULD BERLIN'S STATUS CHANGE, OUR RIGHTS BEYOND LONDON TO BERLIN WOULD TERMINATE? IF SO, REQUEST APPROPRIATE TEXT BE PROVIDED.

5. PLEASE ADVISE ASAP.

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## Message Attributes

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**Review Markings:**  
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